

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

MICHAEL SUA

Petitioner,

vs.

JAMES TILTON, Secretary

Respondent.

CASE NO. 07cv1338 JM(BLM)


ORDER ADOPTING REPORT AND  
RECOMMENDATION RE:  
DENYING PETITIONER'S  
REQUEST FOR STAY AND  
ABEYANCE

Having carefully considered Magistrate Judge Major's Report and Recommendation Denying Petitioner's Request for Stay and Abeyance ("R & R"), the record before the court, Petitioner's Objections to the R & R, and applicable authorities, the court adopts the R & R in its entirety.

In his Objections, Petitioner sets forth essentially the same arguments raised in the Request for Stay and Abeyance and addressed in the R & R. Instead of responding to these arguments a second time, the court adopts the R & R in its entirety. In sum, the R & R is adopted in its entirety and the court denies the Request for Stay and Abeyance.

**IT IS SO ORDERED.**

DATED: November 4, 2010

  
Hon. Jeffrey T. Miller  
United States District Judge

cc: All parties